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**VIA ECF**

Hon. Valerie Caproni, U.S.D.J.  
United States District Court, Southern District of New York  
40 Foley Square, Room 240  
New York, NY 10007

Re: *Advanced Plastic Surgery of North Shore, P.C., et al. v. Aetna Life Insurance Company*, Civil Case No. 1:20-cv-08218

Dear Judge Caproni:

We represent Defendant Aetna Life Insurance Company (“Aetna”) in the above-referenced matter and submit this letter application, on consent of Plaintiffs, to request that the initial pretrial conference be rescheduled to December 11, 2020, due to a previously-scheduled surgery on December 4 that cannot be rearranged. Additionally, for procedural efficiency and to conserve judicial and party resources, we respectfully request that Aetna’s deadline to answer or otherwise respond to Plaintiffs’ Complaint, currently set for December 4, 2020, be adjourned and that a briefing schedule on Aetna’s motion be set by the Court at the initial conference. This is Aetna’s second extension request, and Plaintiffs consent to the request.

Respectfully submitted,

/s/ Earl B. Austin

Earl B. Austin

Application GRANTED. The initial pretrial conference is adjourned to **December 11, 2020 at 12:30 p.m.** At the scheduled time, counsel for all parties should call 888-363-4749, using the access code 3121171 and the security code 8218. Any recording of the hearing is strictly prohibited.

No later than **December 1, 2020**, Plaintiffs are directed to show cause why venue is proper in this district. According to 28 U.S.C. § 1391(b), venue is proper in: "(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action." According to the Complaint, Defendant is a citizen of the District of Connecticut and the surgeries at issue occurred in the Eastern District of New York. See Dkt. 1.

Defendant's deadline to answer or otherwise respond to Plaintiffs' Complaint is extended to **December 14, 2020**. If necessary, a briefing schedule will be set at the initial pretrial conference.

SO ORDERED.



11/23/2020

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE